

J. F. D. LANIN.

MAY 25, 1842.

Read, and laid upon the table.

Mr. COWEN, from the Committee of Claims, submitted the following

REPORT:

The Committee of Claims, to which was referred the petition of J. F. D. Lanin, report:

That the petitioner represents that "he has acted as agent of the United States for the payment of pensions in the State of Indiana (excepting in five counties) for upwards of two years last past;" that "he has disbursed over \$120,000 in small sums, down as low as \$10—in each case a voucher had to be carefully examined and duplicate receipts taken; that the sum disbursed has been at his risk, and that he has "lost several hundred dollars through fraud or mistake;" that he has been at considerable expense for postage and stationery, "and going to and from distant points to procure money on the warrants sent" him by the Treasury Department; that, in one instance, he "sent to Shawneetown, in the State of Illinois, for money, at an expense of \$30, and did not get it, Government having no money in the hands of the receiver on whom the warrant was drawn." He states that he "accepted the office under the confident expectation that Congress would make a fair allowance," and that he "had the assurance of the War Department that all efforts would be made to procure an allowance."

The prayer of the petition is for a "reasonable per centum" to the petitioner, "and other agents similarly situated, for disbursements made and to be made, with such allowance for contingencies as may be reasonable."

This statement of the case shows that the petitioner accepted the office or agency with a full knowledge of the law as to pay. He knew there was no provision for payment of any kind for his services. He says he expected Congress would make provision for his compensation; that he had the assurance of the War Department that all efforts would be made to procure an allowance. These expectations and assurances the committee do not regard as imposing any obligation upon the United States to pay for these services. No one could be authorized to pledge the faith of the Government as to the future legislation of Congress. The fact that there was no law authorizing payment was a circumstance that should have prevented any such expectation. The committee do not consider themselves called upon to determine as to the policy of a law of Congress providing

for future compensation of pension agents : that subject is more appropriate for another committee. The claim for past services, the committee think, ought not to be allowed. The services were undertaken without any law providing for compensation, and without any promise, by an authorized agent of Government, that the services would be paid for. The policy of omitting to make any provision by law for that purpose, we must suppose, was for reasons satisfactory to Congress. It must have been supposed that the services could be obtained without specific provision for compensation. In this Congress was not mistaken. The petitioner has accepted an agency under such regulations, and, for aught that appears, has faithfully performed the services for more than two years, and there is no indication of a disposition, on his part, to decline the service. The committee do not think the facts stated in the petition are good ground of claim against the United States, and recommend the adoption of the following resolution :

Resolved, That the claim of the petitioner for compensation for past services ought not to be granted ; and that the Committee of Claims be discharged from the further consideration of so much of the prayer of the petition as relates to the passage of an act to provide for paying pension agents for services hereafter to be rendered ; and that the same be referred to the Committee on Revolutionary Pensions.